

Judge McMahon

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA : INDICTMENT

-v.- : 08 Cr.

RYAN ORTIZ, and
ALFREDO CRESPO,

Defendants.

- - - - - x

COUNT ONE

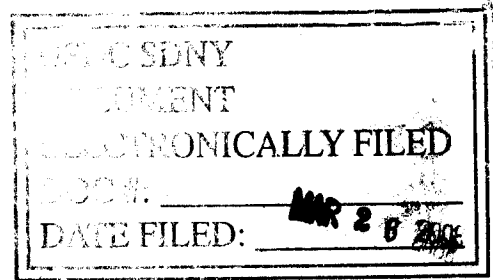
The Grand Jury charges:

1. From at least in or about October 2007, up to and including on or about February 28, 2008, in the Southern District of New York and elsewhere, RYAN ORTIZ and ALFREDO CRESPO, the defendants, and others known and unknown, including a co-conspirator not named herein ("CC-1"), unlawfully, willfully and knowingly did combine, conspire, confederate, and agree together with each other to violate the laws of the United States.

2. It was a part and an object of said conspiracy that RYAN ORTIZ and ALFREDO CRESPO, the defendants, and their co-conspirators, not being licensed importers, manufacturers, or dealers, would and did engage in the business of dealing in firearms, and in the course of such business did transport and receive firearms in interstate commerce, in violation of Title 18, United States Code, Section 922(a)(1)(A).

3. It was also a part and an object of said conspiracy that RYAN ORTIZ and ALFREDO CRESPO, the defendants, and their co-

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conspirators, not being licensed importers, manufacturers, dealers, or collectors, would and did transfer, sell, trade, give, transport and deliver firearms to another person who was not then a licensed importer, manufacturer, dealer, or collector, and whom ORTIZ and CRESPO knew or had reasonable cause to believe did not reside in the State in which ORTIZ and CRESPO reside, in violation of Title 18, United States Code, Section 922(a)(5).

OVERT ACTS

4. In furtherance of the conspiracy, and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about October 18, 2007, CC-1 had a telephone conversation with an undercover law enforcement officer ("UC-1") during which CC-1 told UC-1, in substance, that CC-1 was unable to travel to New York to consummate a firearms transaction because CC-1 was having transportation problems.

b. On or about October 18, 2007, CC-1 had a telephone conversation with UC-1 during which CC-1 discussed with UC-1 the price of handguns that CC-1 was offering to sell.

c. On or about October 30, 2007, RYAN ORTIZ and ALFREDO CRESPO, the defendants, and CC-1 traveled to Manhattan, from Connecticut, in order to sell firearms to a confidential informant ("CI-1").

d. On or about October 30, 2007, in Manhattan, ORTIZ, CRESPO and CC-1 delivered and sold three firearms to CI-1.

e. On or about February 11, 2008, ORTIZ had a telephone conversation with UC-1 during which ORTIZ told UC-1 that ORTIZ had been trying to obtain firearms to sell to UC-1, but that he had been unable to do so.

f. During the February 11, 2008 telephone call between ORTIZ and UC-1, ORTIZ also told UC-1 that one of the firearms that ORTIZ, CRESPO and CC-1 sold to CI-1 on October 30, 2007, had belonged to ORTIZ.

g. On or about February 26, 2008, ORTIZ had a telephone conversation with UC-1 during which ORTIZ told UC-1 that ORTIZ wanted to meet in New York to consummate a firearms sale.

h. On or about February 28, 2008, ORTIZ and CRESPO traveled from Connecticut to the Bronx in order to sell a firearm to UC-1.

i. On or about February 28, 2008, ORTIZ had a telephone conversation with UC-1 during which ORTIZ told UC-1 that ORTIZ and CRESPO had gotten lost on their way to the prearranged location for the firearms transaction in the Bronx. During the call, ORTIZ gave the phone to CRESPO who asked UC-1 for directions to the prearranged location.

j. On or about February 28, 2008, ORTIZ and

CRESPO met an undercover law enforcement officer ("UC-2") at a prearranged buy location in the Bronx and sold the officer a .380 caliber handgun.

(Title 18, United States Code, Section 371.)

COUNT TWO

The Grand Jury charges:

5. From at least in or about October 2007, up to and including on or about February 28, 2008, in the Southern District of New York and elsewhere, RYAN ORTIZ and ALFREDO CRESPO, the defendants, not being licensed importers, manufacturers, or dealers, unlawfully, willfully and knowingly did engage in the business of dealing in firearms, and in the course of such business did transport and receive firearms in interstate commerce, to wit, ORTIZ and CRESPO sold four firearms to a confidential informant and an undercover law enforcement officer.

(Title 18, United States Code, Sections 922(a)(1)(A) and 2.)

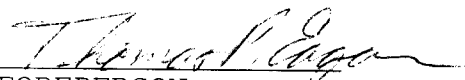
COUNT THREE

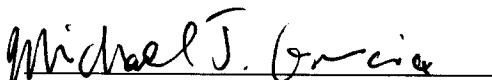
The Grand Jury charges:

6. On or about February 28, 2008, in the Southern District of New York and elsewhere, RYAN ORTIZ and ALFREDO CRESPO, the defendants, who were not then licensed importers, manufacturers, dealers, or collectors, unlawfully, willfully and knowingly did transfer, sell, trade, give, transport and deliver a firearm to another person who was not then a licensed importer,

manufacturer, dealer, or collector of firearms, and whom ORTIZ and CRESPO knew or had reasonable cause to believe did not reside in the State in which ORTIZ and CRESPO reside, to wit, ORTIZ and CRESPO, both of whom are residents of Connecticut, transported a .380 caliber semi-automatic pistol to the Bronx, which they sold to an undercover law enforcement officer whom they knew, and had reason to know, was not a Connecticut resident.

(Title 18, United States Code, Sections 922(a)(5) and 2.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

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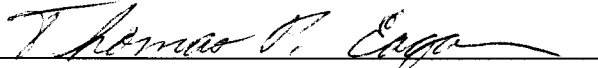
INDICTMENT

08 Cr.

(18 U.S.C. §§ 371, 922(a)(1)(A) and
(a)(5))

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL


Foreperson.
